HIGH COURT OF UTTARANCHAL AT NAINITAL.

Urgency Application No. 1340 of 2005
In
Contempt Petition No. 50 of 2005

Rajeshwar Prasad,
son of Sri Chaman Singh,
aged about 45 years,
presently posted as
Superintending Engineer,
12th Circle, Uttaranchal Pey
Jal Sansadhan, Vikas Evam
Nirman Nigam, Gopeshwar,
District – Chamoli.

.....**Petitioner.**

V e r s u s

1. Sri B.P. Pandey, Chairman, Uttaranchal Pey Jal Sansadhan, Vikas Evam Nirman Nigam, Dehradun.

2. Sri P.K. Sharma, Managing Director, Uttaranchal Pey Jal Sansadhan, Vikas Evam Nirman Nigam, Dehradun

.....**Respondents.**

Hon'ble M.M. Ghildiyal, J.:

Heard Sri Alok Mehra, learned counsel for the petitioner/applicant.

This is a contempt petition filed by the petitioner/ applicant for non compliance of the order passed by this court in Writ Petition No. 405 (SB) of 2004.

On 24.12.2004, this court has passed an order in writ petition no. 405 (SB) of 2004 and the

operative portion of the aforesaid order is as under:

"Meanwhile, the petitioner will be considered for promotion by DPC and the decision in regard to the petitioner will be kept in sealed cover till further orders of the decision of the writ petition, as the case may be. However, the result of the DPC in regard to the other candidates before it may be declared for action to be taken in regard to them".

The submission of the petitioner is that the result of the petitioner has been kept in seal cover, however, the result of other persons have been declared. In pursuance of that result, one Schedule Caste candidate and two other persons have been selected by the DPC.

The contention of the petitioner is that petitioner is a Schedule Caste candidate and therefore, respondents have flouted the order passed by this court by filling up the post, which is reserve of Schedule Caste candidate, with another Schedule Caste candidate while keeping the result of the petitioner in seal cover.

I do not find any force in the argument of learned counsel for the petitioner that respondents have not complied the order passed by this court.

Contempt petition is dismissed.

(M.M. Ghildiyal, J.)

April 7, 2005
SKS